

MINUTES OF THE MEETING OF THE BENCH-BAR-MEDIA CONFERENCE

A meeting of the Bench-Bar-Media Conference was held on Monday, December 10, 2001 at 12:30 p.m. in the Supreme Court Conference Room in Wilmington. The meeting was open to the public. Notice of the meeting had been posted. The members of the Conference in attendance were:

Members from the Print News Media

Rita Farrell
Dennis Forney
Mike Pelrine
Calvin Stovall
John Taylor

Members from the Electronic News Media

Johnnie Braxton
Chris Carl
Joe Feeney
Phil Feliceangeli
Marie Krips
Allen Loudell

Members from the Bench

Chief Justice E. Norman Veasey
Vice Chancellor Jack B. Jacobs
President Judge Henry duPont Ridgely
Chief Justice Vincent J. Poppiti
Judge John K. Welch
Judge Thomas L. Ambro

Members from the Bar

Eugene H. Bayard, Esquire (by videoconferencing)
Don C. Brown, Esquire

David G. Culley, Esquire
Kathleen Jennings-Hostetter, Esquire
Richard D. Kirk, Esquire
F. Michael Parkowski, Esquire

Chief Justice Veasey opened the meeting by thanking everyone for attending the meeting. In his remarks, the Chief Justice emphasized: (1) the courts are open, (2) the courts strive to generate public trust and confidence in the court system and (3) the Judiciary is an independent branch of government. After the Chief Justice's remarks, the members of the Conference introduced themselves.

The next order of business was the election of Conference officers. President Judge Ridgely was nominated and elected as chair with Dennis Forney as vice chair and Dick Kirk as secretary. Steve Taylor was designated as assistant secretary.

The third agenda item was the approval of the minutes of the last meeting of the Conference held on February 17, 2000. The minutes were unanimously approved.

Under the fourth agenda item, President Judge Ridgely presented the proposed Bench-Bar-Media Web Site to the Conference for approval. The address of the Web site is <http://courts.state.de.us/supreme/bbmc>. The Web Site contains sections on membership, meetings, minutes, information, ethics, programs and links. The Conference reviewed the Web site handout while President Judge Ridgely gave a live tour of the web site which is hosted on the Supreme Court's home page. The purpose of the web site is to disseminate information and take advantage of technology to

communicate. The State of Washington is the only other state that has a web site dedicated to Bench-Bar-Media relations. The Conference members were asked to review the web site for approval at the next meeting.

Old business was the fifth item on the agenda. Dick Kirk distributed a package containing a proposed revised constitution for the Conference. Dick reviewed the history of the Conference constitution. It was noted that the Conference has struggled with producing a document that is acceptable to all segments of the Conference. The Bench and Bar have strict codes of conduct while the various media entities do not have a uniform code of conduct. Over the years, the Conference has attempted to redraft the original constitution but gave up. The proposed constitution is more limited in scope than the original and essentially deals with only purposes, composition, officers, meetings and amendments. A Drafting Committee was designated to review the draft, and all members were encouraged to contact the Committee with any comments. The Drafting Committee is composed of Dick Kirk, John Taylor, Judge Welch and Joe Feeney.

Ed Pollard's November 29, 2001 memorandum concerning the new New Castle County Courthouse and media access was distributed to the Conference. Steve Taylor will schedule a meeting with interested media representatives to discuss the courthouse and future meetings with the Council of Court Administrators.

Dick Kirk briefly discussed the Internet seminar that was scheduled two years ago but was canceled because notices of the seminar were not completely distributed. The thrust of the seminar was to discuss the impact of the Internet on news reporting, access issues and the electronic filing of court documents. Allen Loudell noted that the Delaware Press Association was having a seminar on media convergence and the impact on the public. The seminar would highlight how journalists do their jobs. Dick Kirk and John Taylor will review the Internet seminar concept and report back to the Conference.

The status of the proposed new administrative directive/rule for expanded media coverage in trial courts was the next agenda item discussed. Chief Justice Veasey stated that the proposal faced an uphill battle. The Supreme Court was reluctant to open up the trial courts to expanded media coverage. The impact of the O.J. Simpson trial was a factor as well as concerns over the impact on trial participants. He noted that members of the Supreme Court and the Conference had visited New Jersey courtrooms where the media was permitted to record trials electronically. The Chief Justice said that the composition of the Court has changed, and he does not know the Court's current feelings on the issue. He also wondered how the trial judges felt about the issue. He said the Court would welcome an organized presentation on the issue.

John Taylor said that the William Kennedy Smith trial demonstrated that media

coverage of trials had a positive influence on the public's perception of the courts. He added that the problems associated with media coverage of the O.J. Simpson trial were related to a lack of control of the courtroom by the trial judge. The Conference needs to know what it is going to take to get the Court to take action on the issue. What does the Court want to see? If the public does not want coverage, they will not watch, and the media interest will lessen. The media will only cover those trials that have some interest. John said if the Justices have made up their minds, let the Conference know, and the issue can be removed from the agenda.

President Judge Ridgely indicated that much has happened since the Conference's 1994 proposal in the area of expanded media coverage of trial courts in other jurisdictions. Rita Farrell said that expanded coverage was not a first amendment issue but was a commercial issue. Allen Loudell noted there were not many commercial television outlets in Delaware. Furthermore, a number of Conference members had resigned from the Conference over the expanded coverage issue. Dennis Forney said the Conference needed to get feedback on the issue and current information. Joe Feeney said that commercialism was not an issue because no one was covering trials for ratings but rather they were covering trials that were of interest to viewers. John Taylor made and withdrew a motion to send a letter to the Supreme Court on the status of the Conference's 1994 proposal and related issues. Calvin

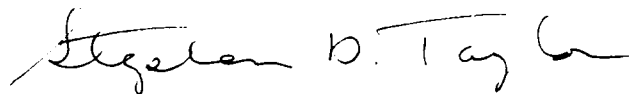
Stovall emphasized the need for the Conference to be heard on the issue, and the Conference should not be precluded from bringing additional information to the court's attention. The Conference decided to recirculate the 1994 proposal to the membership and discuss further action at the next meeting.

Under new business, President Judge Ridgely provided the Conference with illustrative materials on outreach concepts which included: (1) a high school essay contest, (2) a Bench-Bar-Media dinner with panel discussion and (3) media orientation (press days) at the courts. The Conference decided to go forward with the essay contest concept with President Judge Ridgely and John Taylor organizing it. Calvin Stovall and David Culley agreed to help. Discussion of the dinner and press days was deferred until the next meeting.

Under other new business, Rita Farrell asked that the issue of electronic filing in Bankruptcy Court be placed on the agenda for the next meeting.

There was no further business to discuss. The next meeting of the Conference was scheduled for Tuesday, January 15, 2002 at 12:30 p.m. in the Supreme Court Conference Room in Wilmington. The Conference adjourned at 2:00 p.m.

Respectfully Submitted

A handwritten signature in black ink, appearing to read "Stephen D. Taylor", written in a cursive style.

January 10, 2002